UNITED STATES DISTRICT COURT

Western District of Virginia

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UNITED ST	ATES OF AMERICA	AMENDED JUI	AMENDED JUDGMENT IN A CRIMINAL CASE				
	V	Case Number: DVA	Case Number: DVAW405CR000008-007				
*CESAR CANT	U	Case Number: DVAW406CR000001-001					
		USM Number: 3913	USM Number: 39139-179				
Date of Original Ju	udgment: 5/22/06	John Weber, III, Esqu	uire				
(Or Date of Last Amend		Defendant's Attorney					
Reduction of Sentence P. 35(b)) Correction of Sentence Correction of Sentence	on Remand (18 U.S.C. 3742(f)(1) and (2)) for Changed Circumstances (Fed. R. Crim. by Sentencing Court (Fed. R. Crim. P. 35(a)) for Clerical Mistake (Fed. R. Crim. P. 36)	 Modification of Supervision Conditions (18 U.S.C. §§ 3563(c) or 3583(e)) Modification of Imposed Term of Imprisonment for Extraordinary and Compelling Reasons (18 U.S.C. § 3582(c)(1)) Modification of Imposed Term of Imprisonment for Retroactive Amendment(s) to the Sentencing Guidelines (18 U.S.C. § 3582(c)(2)) Direct Motion to District Court Pursuant 28 U.S.C. § 2255 or 18 U.S.C. § 3559(c)(7) Modification of Restitution Order (18 U.S.C. § 3664) 					
THE DEFENDAN		and Count 1 of information (4)	·06CR00001)				
pleaded guilty to c			.ooekoooo1)				
pleaded nolo cont which was accep							
was found guilty of	•						
after a plea of no							
The defendant is adju	dicated guilty of these offenses:						
Title & Section	Nature of Offense		Offense Ended	Count			
21 U.S.C. §846	Conspiracy to Possess with Intent to Dis	stribute Marijuana	2/04	1			
18 U.S.C. §1956(h)	Money Laundering (4:06CR00001)		05/05	1			
The defendant the Sentencing Reform	t is sentenced as provided in pages 2 thro m Act of 1984.	ugh 6 of this judg	ment. The sentence is impo	osed pursuant to			
The defendant ha	s been found not guilty on count(s)						
Count(s)	is	are dismissed on the motion of	the United States.				
It is ordered or mailing address unt the defendant must no	that the defendant must notify the United Stil all fines, restitution, costs, and special as orify the court and United States attorney of	States Attorney for this district was esessments imposed by this judgr of material changes in economic	ithin 30 days of any change ment are fully paid. If ordere circumstances.	of name, residence, ed to pay restitution,			
		January 16, 2009 Date of Imposition of	`Judgment				
		Such	son S. Ku	•			
		Signature of Judge Jackson L. Kiser, Sei	nior United States District J	udge			
		Name and Title of Jud					
		1/23/09 Date					

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DEFENDANT: *CESAR CANTU

CASE NUMBER: DVAW405CR000008-007

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of:

*One hundred eighty (180) months. The term consists of one hundred eighty months as to Count One (Dkt No. 4:05CR8) and a term of one hundred eighty (180) months as to Count One (Dkt. No. 4:06CR1), all counts to be served concurrently.
The court makes the following recommendations to the Bureau of Prisons:
1. Court recommends FCI Beaumont, TX
The defendant is remanded to the custody of the United States Marshal.
☐ The defendant shall surrender to the United States Marshal for this district:
□ at □ □ a.m. □ p.m. on □
as notified by the United States Marshal.
 □ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons: □ before on □ as notified by the United States Marshal. □ as notified by the Probation or Pretrial Services Office.
RETURN
I have executed this judgment as follows:
Defendant delivered on to
a, with a certified copy of this judgment.
UNITED STATES MARSHAL
By

(NOTE: Identify Changes with Asterisks (*))

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DEFENDANT: *C

AO 245C

*CESAR CANTU

CASE NUMBER: DVAW405CR000008-007

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term of:

Five (5) years as to Count One (Dkt. No. 4:05CR00008) and a term of three (3) years as to Count One (Dkt. No. 4:06CR00001), all such terms to run concurrently with each other.

MANDATORY CONDITIONS OF SUPERVISION

The defendant must report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of
future substance abuse. (Check, if applicable.)

The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)

X	The defendant shall coop	erate in the collection of	f DNA as direct	ted by the pro	obation officer. ((Check, if ap	plicable.)

The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)

The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of supervised release that the defendant pay in accordance with the Schedule of Payments sheet on this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

AO 245C

(NOTE: Identify Changes with Asterisks (*))

DEFENDANT:

*CESAR CANTU

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SPECIAL CONDITIONS OF SUPERVISION

- 1. The defendant shall provide the probation officer with access to any requested financial information.
- 2. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer.
- 3. The defendant shall submit to warrantless search and seizure of person and property as directed by the probation officer, to determine whether the defendant is in possession of firearms or illegal controlled substances.

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DEFENDANT:

AO 245C

*CESAR CANTU

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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

тот	Assessment FALS \$ 200.00	Fine \$	Restitut \$	<u>ion</u>					
	The determination of restitution is deferred untilafter such determination.	. An Amended	l Judgment in a Criminal Case	(AO 245C) will be entered					
	The defendant must make restitution (including comm	he defendant must make restitution (including community restitution) to the following payees in the amount listed below.							
	If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified oth in the priority order or percentage payment column below. However, pursuant to 18 U.S.C § 3664(i), all nonfederal victims mupaid before the United States is paid.								
<u>Nan</u>	ne of Payee <u>To</u>	tal Loss*	Restitution Ordered	Priority or Percentage					
TO	TALS	\$0.00	\$0.0	0_					
	Restitution amount ordered pursuant to plea agree	ment \$							
	The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).								
	The court determined that the defendant does not ha	we the ability to pay in	nterest and it is ordered that:						
	the interest requirement is waived for the	fine restitution	on.						
	☐ the interest requirement for the ☐ fine	restitution is mod	dified as follows:						

^{*}Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 13, 1996.

DEFENDANT: *CESAR CANTU

CASE NUMBER: DVAW405CR000008-007

		SCHEDULE OF PAYMENTS
Havi	ing a	ssessed the defendant's ability to pay, the total criminal monetary penalties are due immediately and payable as follows:
A	X	Lump sum payment of \$ 200.00 immediately, balance payable
		not later than , or in accordance C, D, E, F or, G below); or
В		Payment to begin immediately (may be combined with \square C, \square D, \square F, or \square G below); or
C		Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after the date of this judgment; or
D	□ -	Payment in equal (e.g., weekly, monthly, quarterly) installments of \$ over a period of (e.g., months or years), to commence (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or
E		Payment during the term of supervised release will commence within (e.g., 30 or 60 days) after release from imprisonment. The court will set the payment plan based on an assessment of the defendant's ability to pay at that time; or
F		During the term of imprisonment, payment in equal
G		Special instructions regarding the payment of criminal monetary penalties:
Any 3664		Ilment schedule shall not preclude enforcement of the restitution or fine order by the United States under 18 U.S.C §§ 3613 and
Any defer defer	insta idant idant	llment schedule is subject to adjustment by the court at any time during the period of imprisonment or supervision, and the shall notify the probation officer and the U.S. Attorney of any change in the defendant's economic circumstances that may affect the sability to pay.
All c disbu	rimir ırsem	nal monetary penalties shall be made payable to the Clerk, U.S. District Court, P.O. Box 1234, Roanoke, Virginia 24006, for ent.
The	defe	ndant shall receive credit for all payments previously made toward any criminal monetary penalties imposed. It and Several
		endant and Co-Defendant Names and Case Numbers (including defendant number), Total Amount, Joint and Several Amount, corresponding payee, if appropriate.
	The	defendant shall pay the cost of prosecution.
	The	defendant shall pay the following court cost(s):
X		defendant shall forfeit the defendant's interest in the following property to the United States: Attached Preliminary Order of Forfeiture dated 5/11/06.

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Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) fine interest, (6) community restitution, (7) penalties, and (8) costs, including cost of prosecution and court costs.